

# JOURNAL OF THE SENATE

Wednesday, April 24, 1935

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 23, 1935.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Tuesday, April 23rd, was corrected, and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Savage, Chairman of the Committee on Judiciary "C", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Judiciary "C", to whom was referred:

Senate Bill No. 275:

A bill to be entitled An Act prescribing in whose name actions at law and suits in equity shall be brought and requiring trustees of an express trust bringing any form of action or suit, whether at law or in equity, or purely statutory, to file in such action or suit a list of the names and addresses of the beneficiaries of the express trust and other evidence, if necessary, as to the time when said trust would expire, and providing for the abatement, revival and dismissal of such actions and suits brought by trustees in certain cases.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

In Section 1, line 8 (typewritten bill), after the words "trustees of an express trust" insert a comma and the following words: "Whether said express trust is written or verbal or partly written and partly verbal," who may bring, etc.

Amendment No. 2:

In section 1, line 13, after the words, "creating the trust" insert the following words: "provided said trust agreement is in writing, and in case said trust agreement is verbal, then the trustees or trustee must file a complete statement, under oath, of said verbal agreement, and in case said trust agreement is partly written and partly verbal then the trustees or trustee must file a copy of the written part of said trust agreement and also a complete statement, under oath, of the verbal part of said trust agreement."

Very respectfully,

C. A. SAVAGE,  
Chairman of Committee.

And Senate Bill No. 275, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Raulerson, Chairman of the Committee on Agriculture & Livestock, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Agriculture & Live Stock, to whom was referred:

Senate Bill No. 319:

A bill to be entitled An Act relating to revenue and taxation and requiring licenses for dealers as therein defined, in beef and/or beef products slaughtered, packed, canned, manufactured, refined, or produced in any foreign country; fixing a penalty for the violation of the provisions of the Act and declaring when the Act shall take effect.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

C. F. RAULERSON,  
Chairman of Committee.

And Senate Bill No. 319, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Raulerson, Chairman of the Committee on Agriculture & Livestock, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

Your Committee on Agriculture & Live Stock, to whom was referred:

Senate Bill No. 376:

A bill to be entitled An Act relating to agriculture: regulating the sale of agricultural and vegetable seeds as defined therein; providing for the inspection and certification of agricultural and vegetable seeds, tubers for seeding purposes and plants offered for sale; providing a penalty for the violation hereof and allowing civil remedies on account of the violation hereof.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

C. F. RAULERSON,  
Chairman of Committee.

And Senate Bill No. 376, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Raulerson, Chairman of the Committee on Agriculture & Livestock, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

Your Committee on Agriculture & Livestock, to whom was referred:

Senate Bill No. 428:

A bill to be entitled An Act to protect the owner of bottles, cans and crates used in the sale and distribution of milk, cream, and milk products.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

C. F. RAULERSON,  
Chairman of Committee.

And Senate Bill No. 428, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 354:

A bill to be entitled An Act to declare, designate and establish West River Road near Venice, Florida, in Sarasota County, Florida as a State Road.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

Section 2, line 1, strike out the word "shall" and insert in lieu thereof the word "may."

Amendment No. 2:

Section 2, line 4, strike out the word "shall" and insert in lieu thereof the word "may."

Amendment No. 3:

Section 3, line 1, strike out the word "shall" and insert in lieu thereof the word "may."

Amendment No. 4:

Section 3, line 3, strike out the word "shall" and insert in lieu thereof the word "may."

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 354, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 355:

A bill to be entitled An Act to declare, designate and establish as a State Road the Venice-Englewood Road lying in Sarasota County, Florida.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

Section 2, line 2, strike out the word "shall" and insert in lieu thereof the word "may."

Amendment No. 2:

Section 2, line 4, strike out the word "shall" and insert in lieu thereof the word "may."

Amendment No. 3:

Section 3, line 2, strike out the word "shall" and insert in lieu thereof the word "may."

Amendment No. 4: Section 3, line 3, strike out the word "shall" and insert in lieu thereof the word "may."

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 355, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 374:

A bill to be entitled An Act to designate a certain State Road in Putnam County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 374, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 410:

A bill to be entitled An Act to designate and establish a certain road in Brevard County, Florida, as a State Road.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 410, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 411:

A bill to be entitled An Act to designate and establish a certain road in Brevard County, Florida, as a State Road.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 411, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 431:

A bill to be entitled An Act to designate and establish a certain State Road in the State of Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 431, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 432:

A bill to be entitled An Act to designate and establish a certain State Road in Manatee County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 432, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 433:

A bill to be entitled An Act to designate and establish a certain State Road in Manatee County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 433, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 434:

A bill to be entitled An Act to designate and establish a certain State Road in Manatee County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 434, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 435:

A bill to be entitled An Act to designate and establish a certain State Road in Manatee County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 435, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 436:

A bill to be entitled An Act to designate and establish a certain State Road in Manatee County, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 436, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tervin, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred:

Senate Bill No. 38:

A bill to be entitled An Act to create the State Old Age Pension Welfare Commission; to define the powers and duties of said Commission; to provide for the assistance of old age

persons through the agency of said Commission, under certain limitations and restrictions; to make appropriations for carrying out the purposes of this Act; to amend Section 12 and repeal Section 13 of Chapter 14832 of the General Acts, Laws of Florida of 1931, and to prescribe penalties for the violation of the provisions of this Act.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

WALLACE TERVIN,  
Chairman of Committee.

And Senate Bill No. 38, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tervin, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred:

Senate Bill No. 218:

A bill to be entitled An Act authorizing the Governor to transfer and assign a County Judge from any County in the State to any other County during the disability of the resident County Judge, and authorizing such County Judge so transferred and assigned to conduct terms of the County Court and County Judge's Court in the County transferred to, and providing for the compensation of the County Judge so transferred or assigned.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

WALLACE TERVIN,  
Chairman of Committee.

And Senate Bill No. 218, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Mann, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 16, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Public Health, to whom was referred:

Senate Bill No. 64:

A bill to be entitled An Act to amend Section 2217 of the Revised General Statutes of Florida, being Section 3528 Compiled General Laws of Florida 1927, and Section 2218, Revised General Statutes of Florida, being Section 3529 Compiled General Laws of Florida 1927, relating to the sale of Drugs and Medicines and repealing the permission contained in such Sections for the sale of certain medicines and drugs other than by or under the supervision of a licensed pharmacist or practitioner of medicine, and defining the terms medical drugs, medicinal chemicals, biologicals, pharmaceuticals United States Pharmacopoeia and National Formulary, as used in said Section 2218 Revised General Statutes, Section 3529 Compiled General Laws of Florida 1927, as amended, and repealing all Laws or parts of laws in conflict with the provisions of said Sections as hereby amended.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

In Section 1, line 14, strike out the period and quotation mark after the word "ammonia" and add a semi-colon and the following words "nor shall this chapter apply to country stores out-side of city limits of municipalities or small municipalities with a population not in excess of two thousand, such country stores or small town stores handling what is commonly known as patent remedies or packaged household remedies."

Very respectfully,

J. M. MANN,  
Chairman of Committee.

And Senate Bill No. 64, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Mann, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 16, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:  
Your Committee on Public Health, to whom was referred:

Senate Bill No. 277:

A bill to be entitled An Act providing that incurable insanity on the part of either husband or wife shall be and constitute cause for divorce from the bonds of matrimony and providing the method of establishing the fact of incurable insanity.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

In Section one, line fifteen, insert after the word "thereto" the following: "the Court."

Very respectfully,

J. M. MANN,  
Chairman of Committee.

And Senate Bill No. 277, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:  
Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 356:

A bill to be entitled An Act to declare, designate and establish as State Roads all roads lying within the boundaries of Camp J. Clifford R. Foster, the State Military Reservation in Duval County, Florida.

Have had the same under consideration and recommend that the same pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 356, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shelley, Chairman of the Committee on Public Roads & Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:  
Your Committee on Public Roads & Highways, to whom was referred:

Senate Bill No. 375:

A bill to be entitled An Act to extend State Road No. 261, as designated by Chapter 16196, Acts of 1933, and to repeal Chapter 16200, Acts of 1933.

Have had the same under consideration and recommend that the same do pass.

Very respectfully,

W. P. SHELLEY,  
Chairman of Committee.

And Senate Bill No. 375, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Clarke, Chairman of the Committee on Banking & Building & Loans, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:  
Your Committee on Banking & Building & Loans, to whom was referred:

Senate Bill No. 249:

A bill to be entitled An Act to amend Sections 1, 3, 4, 5, 11, 12 and 17, of Chapter 14899, Laws of Florida, Acts of 1931, entitled "An Act regulating the sale of securities and to make

uniform the law relating thereto, and to repeal statutes which are inconsistent herewith."

And—

Senate Bill No. 383:

A bill to be entitled An Act to provide for the appointment of the Federal Deposit Insurance Corporation to act as liquidator without furnishing bond for closed state banks and trust companies.

And—

Senate Bill No. 325:

A bill to be entitled An Act to authorize the destruction of certain records of insolvent State banks in liquidation under the laws of the State of Florida.

And—

Senate Bill No. 424:

A bill to be entitled An Act relating to the voluntary liquidation of banks and trust companies and providing for the distribution of unclaimed deposits.

Have had the same under consideration and recommend that the same do pass.

Very respectfully,

S. D. CLARKE,  
Chairman of Committee.

And Senate Bills Nos. 249, 383, 325, 424, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Holland, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:  
Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 167:

A bill to be entitled An Act prescribing additional powers and duties of the assistant attorney general holding the position of solicitor of the department of state police, and designating him pardon attorney, and prescribing his powers and duties as such, and authorizing such solicitor to require progress, periodic, or other reports with reference to pending criminal cases, and also reports with reference to cases in which the defendant has been convicted in any court of the state of Florida from the states attorneys or other prosecuting attorneys of the state of Florida or any county thereof, and requiring the states attorneys to make said reports.

Have had the same under consideration and recommend that the same do pass.

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 167, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Holland, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:  
Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 932 (1933):

A bill to be entitled An Act relating to and fixing the fees of Clerk of Circuit Court, Sheriff, and Constable in Jefferson County, Florida, and making it unlawful for such officers to charge, collect or receive other or different amounts for the services designated; and repealing all laws and parts of laws in conflict herewith.

Have had the same under consideration and recommend that the same do not pass.

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 932 (1933), contained in the above report, was laid on the table.

Senator Holland, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 342:

A bill to be entitled An Act to amend Section 5105 of the Revised General Statutes of 1920, the same being Section 7207 of the Compiled General Laws of 1927, relating to improper exhibition of dangerous weapons and providing a penalty therefor.

Have had the same under consideration and recommend that the same do pass.

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 342, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Holland, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 336:

A bill to be entitled An Act to amend Section 2464, Revised General Statutes of Florida of 1920, now Section 3873, Compiled General Laws of Florida of 1927, relating to and affecting pilot apprentices and the number thereof.

Have had the same under consideration and recommend that the same do pass.

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 336, contained in the above report, was placed on the Calendar of Bills on second reading.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

Senator Turner, Chairman of the Committee on Engrossed Bills submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 163:

A bill to be entitled An Act fixing the method by which tax deeds may be obtained; providing for the sale of lands described in the Tax Certificate filed for tax deed to the highest bidder, and the issuance of a tax deed to such purchaser; fixing the duties of the clerks of Circuit Court in connection with such sales; and repealing all Laws in conflict herewith.

Amendment No. 1:

In line 4 of Section 4 after the word "clerk" insert the following: "and a copy of such notice to the holder of each mortgage which appears of record against said property, if the address of such mortgage holder be known to the Clerk;"

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. TURNER,  
Chairman of Committee.

And Senate Bill No. 163, contained in the above report, was ordered certified to the House of Representatives.

Senator Turner, Chairman of the Committee on Engrossed Bills submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after second reading:

Joint Resolution No. 8:

A Joint Resolution proposing the amendment of Section 2 of Article IX of the Constitution, abolishing ad valorem taxation for State purposes.

Amendment No. 1:

In Section 2, line 4, typewritten bill, after the word: "of" insert the words: "ad valorem."

Amendment No. 2:

At the end of Section 2, add: "Provided that this amendment shall not in any manner affect the one mill levy provided by Article XII, Section 6, of the Constitution of Florida."

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. TURNER,  
Chairman of Committee.

And Senate Joint Resolution No. 8, contained in the above report, was ordered certified to the House of Representatives.

#### INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senator Shivers—

Senate Concurrent Resolution No. 14:

WHEREAS, the construction of that certain State Road which connects with Federal Highway 241 between the Alabama and Florida line and Dothan, Alabama, and which runs south from said line through Graceville, Chipley, Southport, Lynnhaven and to Federal Highway No. 319 at Panama City, is of great economic and social importance to the territory it traverses, and

WHEREAS, the State of Florida has exhausted its funds available for the completion of said road, and

WHEREAS, it is apparent that the State of Florida will be unable to complete the road unless it can secure Federal funds for the purpose, and

WHEREAS, the designation of this road as a Federal Aid Highway would enable the State Road Department to secure Federal funds for its completion,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA, that the State Road Department, the Federal Bureau of Public Roads and any other State and Federal agencies which may be able to assist are hereby requested to take all possible steps to Federalize said road at the earliest possible moment so that Federal funds may be secured from the funds now available under the National Security Act; and be it further

RESOLVED THAT a copy of this Resolution shall be sent to the State Road Department, the Federal Bureau of Public Roads and such other State or Federal agencies as may have to pass upon the same.

Which was read the first time in full.

Senator Shivers asked unanimous consent of the Senate to take up and consider Senate Concurrent Resolution No. 14 at this time.

Which was agreed to.

And Senate Concurrent Resolution No. 14 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 14 was adopted and ordered certified to the House of Representatives.

By Senator Futch—

Senate Concurrent Resolution No. 15:

A CONCURRENT RESOLUTION PROVIDING FOR AN UNPAID COMMISSION ON INTERSTATE COOPERATION.

WHEREAS, There is constant confusion and there are frequent competitions and conflicts between the states of the Union in their laws and their administrative practices concerning taxation, labor, commerce, agriculture, liquor traffic, motor vehicles, crime prevention, public welfare, and many other subjects of government with which this State is vitally concerned; and

WHEREAS, It is desirable for the people of this state that such disharmony and chaos shall not continue, but that the governments shall strive together in accordance with enlightened standards and mutually acceptable policies; and

WHEREAS, The necessity for official cooperation between the state governments is recognized by the compact provision in Section 10 of Article I of the Constitution of the United States; and

WHEREAS, the President of the United States has recently

declared that "both the Congress and the executive departments of the national government are constantly confronted with problems whose solutions require coordinated effort on the part of the States and of the Federal government," and that "it is apparent to all students of government that there is urgent need for better machinery of cooperation between Federal, state, and local governments in many fields;" and

WHEREAS, There have now been established agencies which provide such machinery of cooperation, namely the American Legislators' Association, which has been officially sanctioned and endorsed by one or both branches of forty-six legislatures, and the Council of State Governments, which has been organized by said association; and

WHEREAS, It is to the interest of the people of this State that their government officially participate with the governments of the other states in the formulation of their cooperative policies and in their other deliberations, in order that the interests of this state may not be disregarded and in order that this State may do its share, or more than its share, in the development of a more perfect Union; now therefore

BE IT RESOLVED by the Senate of the State of Florida, the House of Representatives concurring, that

1. There is hereby established the Florida Commission on Interstate Cooperation, whose function it shall be to perfect the participation of this state in the Council of State Governments, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding, and cooperation between the State of Florida and the other states of the Union, both regionally and nationally.

2. The Commission shall report to the Governor and to the Legislature on the first day of each regular legislative session, and at such other times as it deems proper. Its members shall serve without compensation, but they shall be paid their necessary expenses in carrying out their obligations under this resolution. It may employ a secretary and such other assistants as are needed in the performance of its duties, or it may share the expense of such employment with similar commissions of other states.

3. The said Commission shall be composed of fifteen members, namely:

The five members of the Committee on Interstate Cooperation of the Senate.

The five members of the Committee on Interstate Cooperation of the House of Representatives, and

Five officials of the state named by the Governor, one of whom shall be designated by him as the Chairman of the Commission.

4. The said Committees of the Senate and of the House of Representatives, hereby or heretofore established, shall be standing committees, and their members shall be designated as are the members of other standing committees. These committees shall function during the regular sessions of the legislature, and also during the interim periods between such sessions; their members shall serve until their successors are designated; and they shall constitute the Florida Councils of the American Legislators' Association.

5. The Secretary of State of Florida shall forthwith communicate the text of this measure to the Governor and to the presiding officers of the Senate and of the House of Representatives of each of the other states of the Union, with the respectful request that each legislature shall enact a measure similar to this resolution, thus establishing a similar commission with like duties and powers, and thus joining with this State in the common cause of reducing the burdens which are imposed upon our citizens by governmental confusion, competition, and conflict.

Which was read the first time in full and went over under the rule.

Senator Savage moved that a committee be appointed to escort Honorable W. T. Gary, of Ocala, former member of the Senate from the 20th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Savage, Lewis and Smith (14th) as the committee.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Gillis—

Senate Bill No. 471:

A bill to be entitled An Act granting a pension to Mrs. Hattie S. Keith of Holmes County, Florida.

Which was read the first time by title only and referred to the Committee on Pensions & Claims.

By Senator Black—

Senate Bill No. 472:

A bill to be entitled An Act relating to court procedure, the locality of actions, and declaring all persons incompetent to make any agreement contrary to the General Laws of the State of Florida relative to the venue of suits on certain written instruments.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Black—

Senate Bill No. 473:

A bill to be entitled An Act determining and declaring where certain written instruments are executed, causes of action arise, and suits thereon shall be brought.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Mann—

Senate Bill No. 474:

A bill to be entitled An Act directing the Board of County Commissioners, the Tax Collector, the Clerk of the Circuit Court of Union County, Florida, to accept and exchange bonds or interest coupons or any other indebtedness or obligation of Union County, Florida, at par in the redemption of lands from tax sales and in the payment of delinquent taxes and in payment of current taxes except that part of the State of Florida assessed and collected in Union County, Florida.

Which was read the first time by title only.

The following proof of publication was attached to Senate Bill No. 474 when it was introduced in the Senate:

#### NOTICE

Notice is hereby given that the Board of County Commissioners will apply to the Florida legislature of 1935, for the passage of the following bill:

Directing the Board of County Commissioners, the Tax Collector, the Clerk of the Circuit Court of Union County, Florida, to accept and exchange bonds or interest coupons or any other indebtedness or obligation of Union County, Florida, at par in the redemption of lands from tax sales and in the payment of delinquent taxes and in payment of current taxes except that part of the State of Florida assessed and collected in Union County, Florida.

Signed:

J. L. DOUGLAS,  
Chairman of Board of County  
Commissioners Union County.

3-8-15-22-29-4-5.

#### STATE OF FLORIDA, COUNTY OF UNION.

Before the undersigned authority personally appeared Bernice R. Bridwell, who on oath does solemnly swear that she has knowledge of the matters herein stated, that she is the business manager of the Union County Times, a newspaper published in the City of Lake Butler, County of Union, and State of Florida, that a notice stating the substance of a contemplated law or proposed bill relating to the collection of taxes, directing the Board of County Commissioners, the Tax Collector, the Clerk of the Circuit Court of Union County, Florida, to accept and exchange bonds or interest coupons or any other indebtedness or obligation of Union County, Florida, at par in the redemption of lands from tax sales and in the payment of delinquent taxes and in payment of current taxes except that part of the State of Florida assessed and collected in Union County, Florida, has been published at least 30 days prior to this date by being printed in the issues of March 8, March 15, March 22, March 29, April 5, A. D. 1935 of the aforesaid newspaper; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed bill or contemplated law and such copy of the notice so attached is by reference made a part of this affidavit.

BERNICE R. BRIDWELL.

Sworn to and subscribed before me, this 20th day of April, A. D. 1935.

(SEAL)

S. T. DOWLING,  
Clerk Circuit Court, Union County, Fla.

Senator Mann asked unanimous consent of the Senate to take up and consider Senate Bill No. 474 at this time.

Which was agreed to.



Senator Mann moved that the rules be waived and Senate Bill No. 474 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 474 was read the second time by title only.

Senator Mann moved that the rules be further waived and Senate Bill No. 474 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 474 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—37.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Tillman—

Senate Bill No. 475:

A bill to be entitled An Act making it a penal offense for one to practice law either directly or indirectly who has been disbarred or under suspension from the practice of law, and for an attorney at law to aid or assist either directly or indirectly in the practice of law one who has been disbarred or under suspension from the practice of law, and fixing the punishment therefor.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Tillman—

Senate Bill No. 476:

A bill to be entitled An Act to amend Section 980 of the Revised Statutes of 1892, same being Section 4178 of the Compiled General Laws of 1927, of the State of Florida relating to the disbarment, suspension or other disciplinary action of attorneys at law collecting money and failing to pay the same over on demand.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Tillman—

Senate Bill No. 477:

A bill to be entitled An Act making disbarment of an attorney at law by any Federal court on a ground involving moral turpitude a ground for disbarment of attorneys at law admitted to practice in the courts of the State of Florida.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Gomez—

Senate Bill No. 478:

A bill to be entitled An Act to amend Section 5297, Revised General Statutes of Florida, 1920, (being Section 7418 of the Compiled General Laws of Florida, 1927) relating to the destruction or injury of telegraph lines.

Which was read the first time by title only and referred to the Committee on Public Utilities.

By Senator Tervin—

Senate Bill No. 479:

A bill to be entitled An Act to cancel certain State and County Tax Certificates and certain taxes of the City of Bradenton, Florida, against said lots, pieces or parcels of land situated in the Town of Bradenton, Manatee County, Florida, and owned by the Bradenton Revival Temple, Inc., a religious organization, incorporated not for profit, and in this Act described, and to cancel all State and county taxes assessed against said lands and premises, subsequent to the year 1929 and to exempt said lands and premises from taxation, beginning with the year 1935.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senators Black and Holland—

Senate Bill No. 480:

A bill to be entitled An Act authorizing and empowering county boards of public instruction in the State of Florida to invest Sinking Funds collected to retire bonds of Special Tax School Districts in United States Government Bonds or bonds

guaranteed by United States, and being cumulative of the powers contained in Section 15 of Chapter 6542, Laws of Florida, Acts of 1913, as amended by Chapter 6967, Laws of Florida, Acts of 1915, relating to the subject matter hereof.

Which was read the first time by title only and referred to the Committee on Education.

Senator Gomez asked unanimous consent of the Senate to take up and consider Senate Bill No. 101 at this time.

Which was not agreed to.

The motion made by Senator Murphy to reconsider the vote by which the Senate, on April 22, 1935, adopted the following amendment to:

Senate Bill No. 163:

A bill to be entitled An Act fixing the method by which tax deeds may be obtained; providing for the sale of lands described in the tax certificate filed for tax deed to the highest bidder, and the issuance of a tax deed to such purchaser; fixing the duties of the clerks of Circuit Court in connection with such sales; and repealing all laws in conflict herewith.

Which amendment reads as follows:

In Section 10, (typewritten bill), strike out all of last paragraph and insert in lieu thereof the following: No such deed shall be held invalid except upon proof that the property involved was not subject to taxation, or that the taxes thereon had been paid previous to the issuance of the tax sale certificate, or that the same had been redeemed prior to the execution and delivery of such deed.

Was taken up in its order.

Which was agreed to.

And the Senate reconsidered the vote by which the amendment was adopted on April 22, 1935.

The question recurred on the adoption of the amendment to Senate Bill No. 163.

Upon which a roll call was demanded.

Upon the adoption of the amendment the roll was called and the vote was:

Yeas—Senators Bass, Clarke, Gillis, Harper, Holland, Lundy, McArthur, McKenzie, MacWilliams, Parker, Savage, Shivers, Sweger, Turner—14.

Nays—Mr. President; Senators Adams, Beacham, Beall, Black, Butler, Futch, Lewis, Mann, Murphy, Nordman, Pannill, Parrish, Raulerson, Rose, Shelley, Sikes, Smith (14th), Smith (29th), Tervin, Tillman, Touchton—22.

So the amendment failed of adoption.

By unanimous consent Senator Holland offered the following amendment to Senate Bill No. 163:

In line 4 of Section 4, (typewritten bill), after the word "clerk" insert the following: "and a copy of such notice to the holder of each mortgage which appears of record against said property, if the address of such mortgage holder be known to the Clerk;"

Senator Holland moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Tervin, Tillman, Touchton—29.

Nays—Senators Clarke, Harper, McKenzie, Parker, Savage, Sweger, Turner—7.

So the bill passed, as amended, and was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 290:

A bill to be entitled An Act to amend Section 2772, of the Revised General Statutes of 1920, as amended by Chapter 12068, Acts of 1927, also designated as Section 4444 of the Compiled General Laws of Florida of 1927, relating to the selection of jury lists and qualifications of jurors.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gomez, Harper, Holland, Lewis, Lundy, McArthur, Mc-

Kenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—34.

Nays—Mr. President; Senator Adams.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By permission, Senator Gillis, Chairman of the Committee on Rules & Calendar, submitted the following Special Report:

Senate Chamber,  
Tallahassee, Florida, April 24, 1935.

Hon. Wm. C. Hodges,  
President of the Senate.

Sir:

Your Committee on Rules & Calendar respectfully report and recommend that Senate Bill No. 101, commonly referred to as Florida Recovery Act be made a special and continuing order until disposed of for the 25th day of April, 1935, when the Senate has reached the order of business, "Order of the Day".

Respectfully,  
D. STUART GILLIS,  
Chairman Committee on Rules & Calendar.

Senator Gillis moved that the foregoing report of the Committee on Rules & Calendar be adopted.

Which was agreed to.

And the report of the Committee on Rules & Calendar was adopted.

Senate Bill No. 144:

A bill to be entitled An Act to amend Section 12 of Chapter 8415, Laws of Florida, Acts of 1921, relating to the powers of the State Board of Medical Examiners, and to prosecutions for violation of the provisions of said chapter.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Futch, Harper, Holland, Lundy, McKenzie, MacWilliams, Mann, Nordman, Parker, Parrish, Raulerson, Rose, Sikes, Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—25.

Nays—Senators Gomez, McArthur—2.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 146:

A bill to be entitled An Act to amend Section 6 of Chapter 8415, Laws of Florida, Acts of 1921, as amended by Section 2 of Chapter 12285, Laws of Florida, Acts of 1927, relating to application for license to practice medicine and admission to examination by the State Board of Medical Examiners.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Harper, Holland, Lundy, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Sweger, Tillman, Touchton, Turner—28

Nays—Senators Gomez, McArthur—2.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 244, 266, 279, 295, 350, 317, 232, 14 and 29 were taken up in their order and the consideration of same was informally passed.

Senate Joint Resolution No. 170:

A Joint Resolution proposing to amend Section 3 of the Article XIII of the Constitution of the State of Florida, relating to provisions for the aged, infirm, and unfortunate.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Section 3 of Article XIII of the Constitution of the State of Florida, relating to Provision for the Aged, Infirm, and Unfortunate, be and the same is hereby amended, and as amended is agreed to and shall be submitted to the electors of the State of Florida at the next general election to be held on the first Tuesday after the first Monday in November, 1936, for ratification or rejection; said Section 3 of Article XIII, as amended, shall read as follows:

"Section 3. The respective counties of the State shall pro-

vide in the manner prescribed by law for those of the inhabitants that, by reason of age, infirmity or misfortune, may have claims upon the aid and sympathy of society; and the Legislature may provide a system of pensions for persons over sixty-five years of age, and who are, at the time of application for pension hereunder, citizens of the United States, and have been residents of the State of Florida continuously for not less than ten years immediately prior to such application; said pensions to be paid wholly or in part by the State of Florida; and the Legislature may prescribe the qualifications of such pensioners and provide for their classification into groups, and may prescribe rates of pensions for such groups."

Upon the passage of the Joint Resolution the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Harper, Holland, Lewis, Lundy, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Touchton, Turner—33.

Nays—None.

So Senate Joint Resolution No. 170 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1935 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senator Nordman now presiding.

Senate Bill No. 104:

A bill to be entitled An Act to further regulate the business of Life Insurance Companies, Fraternal Benefit Societies, Sick and Funeral Benefit Insurance Companies, and similar companies, corporations and associations doing business in the State of Florida; to regulate the forms of contracts which may be issued by such companies, corporations or associations, and to prohibit the inclusion of certain provisions therein; restricting the persons to whom payable and the medium of payment of benefits or indemnities which may accrue under such contracts and to provide penalties for the violation hereof.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Gillis, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Murphy, Nordman, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Smith (14th), Tillman, Touchton, Turner—28.

Nays—Senators Black, Futch, Mann, Savage, Smith (29th), Sweger, Tervin—7.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 221:

A bill to be entitled An Act to amend Section 1, of Chapter 15,902, Laws of Florida, Acts of 1933, entitled: "An Act to provide the compensation of the Members of the Board of Public Instruction in all counties having a population of not less than fifty-two (52,000) thousand and not more than sixty (60,000) thousand inhabitants."

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Raulerson, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—33.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 197:

A bill to be entitled An Act to amend Section 4133, Revised General Statutes of Florida, 1920, relating to banks and banking; the Board of Directors thereof and other officers; the management of the affairs of said company and to add provisions requiring certain officers and employees thereof to furnish fidelity bonds and providing for approval by the State Comptroller of said bonds and related matters.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:



Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—34.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 284 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 63:

A bill to be entitled An Act relating to the sale, control and licensing of appliances, drugs and medicinal preparations intended or having special utility for the prevention of venereal diseases.

Was taken up in its order and read the third time in full.

Pending roll call, Senator MacWilliams moved that when the Senate adjourns it adjourn to reconvene at 2:30 o'clock, P. M., today, for a one (1) hour session.

Which was agreed to and it was so ordered.

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:01 P. M., until 2:30 o'clock P. M., this day.

## AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

A quorum present.

Senate Bill No. 63:

A bill to be entitled An Act relating to the sale, control and licensing of appliances, drugs and medicinal preparations intended or having special utility for the prevention of venereal diseases.

Which was pending roll call at the hour of adjournment was taken up and the consideration of same was resumed.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Futch, Gomez, Holland, Lewis, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parrish, Raulerson, Rose, Sikes, Smith (14th), Sweger, Tervin, Tillman, Touchton, Turner—20.

Nays—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Clarke, Harper, Lundy, Parker, Shelley, Shivers, Smith (29th)—13.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 86:

A bill to be entitled An Act relating to the State Live Stock Sanitary Board, and prescribing the powers and duties of said Board with respect to the employment of a State Veterinarian as an employe of said Board, and with respect to said Board fixing the powers, duties and compensation of such State Veterinarian as an employe of said Board, and with respect to combating and treating contagious, infectious and communicable diseases of live stock or domestic animals, and defining live stock or domestic animals, and defining contagious, infectious or communicable diseases of live stock or domestic animals, and authorizing the State Live Stock Sanitary Board to examine or test any live stock or domestic animals under quarantine for contagious, infectious or communicable diseases, and making it unlawful for any person, firm or corporation knowingly or willfully to move or to allow to stray or drift into the State of Florida any live stock or domestic animals which are affected with contagious, infectious or communicable diseases, and authorizing the State Live Stock Sanitary Board to promulgate rules and regulations concerning the

introduction of live stock or domestic animals into the State of Florida, and making it unlawful to manufacture for sale, sell or offer for sale in Florida any biological product intended for diagnostic or therapeutic purposes with animals, except upon written permission from the State Live Stock Sanitary Board, unless such product is officially approved by the United States Bureau of Animal Industry, and making it unlawful for any person to inject or otherwise to administer to any live stock or domestic animal in Florida that is producing, or that is to be used as food for man, any virus or other substance containing pathogenic or disease producing germs of a kind that is virulent for man or for animals, except upon permission to do so from the State Live Stock Sanitary Board, and repealing all laws and parts of laws in conflict herewith, and expressly repealing Chapter 13892, Laws of Florida, Acts of 1929.

Was taken up in its order and read the third time in full.

Pending roll call, Senator Smith (14th) moved that the further consideration of Senate Bill No. 86 be informally passed, the bill retaining its place on the Calendar of Bills on third reading.

Which was agreed to and it was so ordered.

Senate Bill No. 145:

A bill to be entitled An Act to amend Section 1 of Chapter 16087, Laws of Florida, Acts of 1933, relating to the definition and meaning of the words and phrases "person," "physician," "dentist," "veterinarian," "manufacturer," "wholesaler," "apothecary," "hospital," "laboratory," "sale," "coca leaves," "opium," "cannabis," "narcotic drugs," "Federal narcotic laws," "official written order," "special written order," "dispense," and "registry number," as used in said Chapter 16087, Laws of Florida, Acts of 1933, unless the context otherwise requires.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Harper, Holland, Lewis, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—35.

Nays—Senator Gomez—1.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 148:

A bill to be entitled An Act concerning liens for money due physicians, drugless practitioners, dentists, nurses, and hospitals for services rendered for the relief and cure of injuries caused by the fault or neglect of other persons, on claims, and rights of actions accruing to such injured persons by reason of such injuries, and defining and stating the meaning of certain words and phrases for the provisions of this Act.

Was taken up in its order and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Bass, Clarke, Futch, Gomez, Lewis, McKenzie, MacWilliams, Mann, Parrish, Sweger, Tervin, Touchton, Turner—13.

Nays—Mr. President; Senators Adams, Beall, Harper, Lundy, McArthur, Nordman, Parker, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Tillman, Watson—18.

So the bill failed to pass.

The following pair was announced:

I am paired with Senator Gillis. If he were present he would vote "no." If I were to vote I would vote "aye."

JNO. R. BEACHAM.

Senator Beacham moved that the hour of adjournment be extended thirty (30) minutes.

Which was agreed to.  
And it was so ordered.

Senators Holland, Black and Gillis were excused from further attendance upon the session today.

Senator Beacham asked unanimous consent of the Senate to take up and consider all Local Bills on the Calendar at this time.

Which was agreed to.

Senate Bill No. 321:

A bill to be entitled An Act authorizing the County Boards

of Public Instruction of counties of the State of Florida having a population of not less than 14,700 nor more than 15,300, according to the last Federal census, to borrow money for the purpose of paying past due salaries of teachers; providing a maximum rate of interest; permitting the pledging of moneys received from the redemption of delinquent taxes or tax sale certificates covering taxes levied for operating expenses, as security for such borrowed money.

Was taken up and read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### Senate Bill No. 331:

A bill to be entitled An Act to require the County Commissioners of Columbia County, Florida, to levy a tax for hospitalization of County Charity cases and to provide for limitation of the expenditure of the same.

Was taken up.

Senator Smith (14th), moved that the rules be waived and Senate Bill No. 331 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 331 was read the second time by title only.

Senator Smith (14th), moved that the rules be further waived and Senate Bill No. 331 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 331 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### Senate Bill No. 343:

A bill to be entitled An Act relating to the Government of the City of Miami Beach, Florida, and providing for the adoption of ordinances and prescribing penalties for the violation thereof.

Was taken up.

Senator Watson moved that the rules be waived and Senate Bill No. 343 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 343 was read the second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 343 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 343 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### Senate Bill No. 344:

A bill to be entitled An Act to amend Section 10 of Chapter 7672, Laws of the State of Florida, Acts of 1917, entitled: "An Act to abolish the present municipal government of the Town

of Miami Beach, in the County of Dade, and State of Florida, and to establish, organize and incorporate a city government for the City of Miami Beach, to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances."

Was taken up.

Senator Watson moved that the rules be waived and Senate Bill No. 344 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 344 was read the second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 344 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 344 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### Senate Bill No. 345:

A bill to be entitled An Act to amend Sections 3, 4, 10 and 14 of Chapter 9836, Laws of the State of Florida, Acts of 1923, entitled "An Act to amend Chapter 9023 of the Laws of Florida, relating to the municipal government of the City of Miami Beach; and to amend Chapter 7672 of the Laws of Florida, relating to the municipal government of the City of Miami Beach."

Was taken up.

Senator Watson moved that the rules be waived and Senate Bill No. 345 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 345 was read the second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 345 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 345 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### Senate Bill No. 346:

A bill to be entitled An Act to amend Section 3 of Chapter 10845, Laws of the State of Florida, approved June 11, 1925, entitled "An Act to amend portions of Chapter 9836, Chapter 9023, Chapter 7672, of the Laws of Florida, relating to the municipal government of the City of Miami Beach, Florida."

Was taken up.

Senator Watson moved that the rules be waived and Senate Bill No. 346 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 346 was read the second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 346 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 346 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 347:

A bill to be entitled An Act authorizing and empowering the City of Miami Beach, Florida, to purchase lands sold for delinquent taxes of said City to the same extent and in the same manner as private persons and corporations may purchase lands sold for delinquent taxes.

Was taken up.

Senator Watson moved that the rules be waived and Senate Bill No. 347 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 347 was read the second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 347 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 347 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 348:

A bill to be entitled An Act to amend Section 1 of Chapter 16562, Laws of the State of Florida, Acts of 1933, entitled "An Act to amend Section 43 of the charter of the City of Miami Beach, being Chapter 7672 of the Laws of Florida, Acts of 1917, to provide for the levy of one mill for publicity and advertising purposes."

Was taken up.

Senator Watson moved that the rules be waived and Senate Bill No. 348 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 348 was read the second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 348 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 348 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bills Nos. 443, 445, 440, 441, 442, 223 and 439 were taken up and the consideration of same was informally passed.

House Bill No. 489:

A bill to be entitled An Act creating a municipal court for the Town of Apopka City, Florida, providing the duties of such court, and the method of election of a Judge to preside over same, and providing the term of office and the dismissal of such officer, and the method of fixing compensation for such officer.

Was taken up.

Senator Rose moved that the rules be waived and House Bill No. 489 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 489 was read the second time by title only.

Senator Rose moved that the rules be further waived and House Bill No. 489 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 489 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith(14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

Senator MacWilliams asked unanimous consent of the Senate to take up and consider Senate Bills on second reading at this time.

Which was agreed to and it was so ordered.

By Senator Rose—

Senate Joint Resolution No. 8:

A Joint Resolution Proposing the Amendment of Section 2 of Article IX of the Constitution, Abolishing Ad Valorem Taxation for State Purposes.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Section 2 of Article IX of the Constitution of the State of Florida, relating to taxation and abolishing ad valorem taxes for state purposes, be, and the same is hereby, agreed to, and shall be submitted to the electors of the State at the General Election of Representatives in 1936, for approval or rejection; that is to say, that the said Section 2 of Article IX be amended so as to read as follows:

Section 2. The Legislature shall provide for raising revenue sufficient to defray the expenses of the State for each fiscal year, but the Legislature shall not make or authorize any levy of taxes upon real or personal property or upon the ownership thereof, for said purpose.

Was taken up and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Senate Joint Resolution No. 8:

At end of Section 2 add: Provided that this amendment shall not in any manner affect the one mill levy provided by Article XII, Section 6 of the Constitution of Florida.

Senator Butler moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Rose offered the following amendment to Senate Joint Resolution No. 8:

In Section 2, line 4, (typewritten bill), after the word "of," insert the words, "ad valorem."

Senator Rose moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

And Senate Joint Resolution No. 8, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 168:

A Joint Resolution proposing an amendment to Article V, Sections 21, 22 and 23 of the Constitution of the State of Florida, providing for abolishing Justice of the Peace Courts and the office of the Justice of Peace; providing that the jurisdiction of the Justice of the Peace Courts heretofore exercised shall be taken over and exercised by the County Judge of each county, and abolishing the office of Constable and repealing Section 23 of Article V of the State Constitution.

#### SENATE JOINT RESOLUTION

A Joint Resolution proposing an amendment to Article V, Sections 21, 22 and 23, of the Constitution of the State of Florida, providing for abolishing Justice of the Peace Courts and the office of the Justice of Peace; providing that the jurisdiction of the Justice of the Peace Courts heretofore exercised shall be taken over and exercised by the County Judge of each

County, and abolishing the office of Constable and repealing Section 23 of Article V of the State Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. That the following amendment to Section 21 of Article V of the Constitution of the State of Florida relating to Justice of Peace be and the same is hereby agreed to and shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, A. D. 1936:

Section 21. The office of Justice of the Peace is hereby abolished and the authority of the County Commissioners to create Justice of the Peace districts is hereby abrogated.

Section 2. That the following amendment to Section 22 of Article V of the Constitution of the State of Florida relating to Justice of Peace be and the same is hereby agreed to and shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, A. D. 1936:

Section 22. The jurisdiction heretofore had and exercised by Justices of the Peace and Justice of the Peace courts in this State, either in criminal or civil cases is hereby transferred to the County Judge of the several counties of this State and all powers heretofore conferred upon Justices of the Peace in exercising and in carrying out their jurisdiction powers and duties is hereby conferred on the County Judge of the county in which the Justice of Peace court was located.

Section 3. That the following amendment to Section 23 of Article V of the Constitution of the State of Florida relating to Constable be and the same is hereby agreed to and shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, A. D. 1936:

Section 23. The office of the Constable is hereby abolished and all of the powers, authority and duties heretofore vested in the office of Constable is hereby transferred to and conferred upon the sheriffs of the several counties of this State.

Section 4. This Article shall become effective on the first Tuesday after the first Monday in January, A. D. 1937.

Was taken up and read the second time in full and placed on the Calendar of Bills on third reading.

Senator Rose was excused from further attendance upon the session today.

Senate Bills Nos. 190, 60 and 69 were taken up and the consideration of same was informally passed.

Senate Bill No. 109:

A bill to be entitled An Act to provide for a refund or drawback of gasoline tax paid on gasoline used in certain motor boats and tractors, herein defined, and which tax is paid under Chapter 15659 Acts of 1931, Laws of Florida; providing for registration of such motor boats and tractors with the Comptroller of the State of Florida; providing for fees to be charged for such registration; methods of making such application for such refunds; method of making the payment of such refund; authorizing the Comptroller of the State of Florida and the Treasurer of the State of Florida to pay such refunds out of funds in the hands of the Treasurer of the State of Florida by virtue of Chapter 15659, Acts of 1931, Laws of Florida; and prescribing penalties for making any false statements in receipts given to any purchaser of gasoline by any dealer in gasoline; and to prescribe penalties for any person making any false statement or affidavit to be used for the purpose of securing a refund on the gasoline tax in this Act provided for; repealing all laws in conflict with this Act and providing time of the taking effect of this Act.

Having been read the second time in full on April 19, 1935, was taken up and consideration of the pending motion made by Senator Shelley on April 19, 1935, to indefinitely postpone Senate Bill No. 109, was resumed.

The question was put on the adoption of the motion made by Senator Shelley to indefinitely postpone Senate Bill No. 109.

Pending adoption of the motion made by Senator Shelley to indefinitely postpone Senate Bill No. 109, the hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 4:00 o'clock P.M., until 11:00 A.M., Thursday, April 25, 1935.